

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Larry Smith

Docket No. 5:23-CR-179-1BO

Petition for Action on Supervised Release

COMES NOW Timothy L. Gupton, Senior U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Larry Smith, who, upon an earlier plea of guilty to a Hobbs Act Robbery, two counts of Brandishing a Firearm During and in Relation to a Crime of Violence, and Attempted Car Jacking, was sentenced by the Honorable Eduardo C. Robreno, U.S. District Judge for the Eastern District of Pennsylvania, on May 7, 2004, to the custody of the Bureau of Prisons for a term of 472 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On March 22, 2023, during a Resentencing Hearing, Larry Smith pled guilty to a Hobbs Act Robbery, one count of Brandishing a Firearm During and in Relation to a Crime of Violence, and Attempted Carjacking, and was sentenced to a term of imprisonment of Time Served, with a 5-year term of supervised release to follow.

Larry Smith was released from custody on March 22, 2023, at which time the term of supervised release commenced. On June 9, 2023, a Transfer of Jurisdiction was filed in the Eastern District of North Carolina, and on June 29, 2023, a Petition for Action was filed modifying a previously imposed period of home detention to curfew and adding a mental health condition.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The term of curfew with Location Monitoring is scheduled to expire on September 20, 2023. Based on ongoing equipment issues and his full compliance with this condition with no reported violations since his arrival in the Eastern District of North Carolina on March 24, 2023, it is recommended that the curfew with Location Monitoring end immediately.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

- 1) The previously imposed period of curfew with Location Monitoring is ordered to be terminated immediately.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing
is true and correct.

/s/Timothy L. Gupton
Timothy L. Gupton
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
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Executed On: September 6, 2023

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ORDER OF THE COURT

Considered and ordered this 6 day of Sept, 2023, and ordered filed and made a part of the records in the above case.

Terrence Boyle

Terrence W. Boyle
United States District Judge